

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1246 be amended to read as follows:

- 1 Replace the effective dates in SECTIONS 1 through 19 with
2 "[EFFECTIVE JULY 1, 2004]".
3 Page 1, delete lines 1 through 7, begin a new paragraph and insert:
4 "SECTION 1. IC 3-5-2-48 IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2004]: Sec. 48. "State office" refers to **the**
6 **following:**
7 **(1) Before January 12, 2009, the** governor, lieutenant governor,
8 secretary of state, auditor of state, treasurer of state, **state**
9 superintendent of public instruction, attorney general, justice of
10 the supreme court, judge of the court of appeals, judge of the tax
11 court, and clerk of the supreme court.
12 **(2) After January 11, 2009, the governor, lieutenant**
13 **governor, secretary of state, auditor of state, treasurer of**
14 **state, attorney general, justice of the supreme court, judge**
15 **of the court of appeals, judge of the tax court, and clerk of**
16 **the supreme court.**
17 SECTION 2. IC 3-8-1-10.5 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 10.5. **(a) This section**
19 **applies before January 12, 2009.**
20 **(b)** A candidate for the office of state superintendent of public
21 instruction must have resided in Indiana for at least two (2) years
22 before the election."
23 Page 2, line 3, after "and" insert "**before January 12, 2009,**".

- 1 Page 2, line 3, reset in roman "state superintendent".
- 2 Page 2, line 4, reset in roman "of public instruction,".
- 3 Page 2, line 4, delete "member of the Indiana state board of".
- 4 Page 2, line 5, delete "education,".
- 5 Page 2, line 23, reset in roman "(6)".
- 6 Page 2, line 23, delete "Superintendent" and insert "**Before January**
- 7 **1, 2006, state** superintendent".
- 8 Page 2, line 23, reset in roman "of public instruction.".
- 9 Page 2, line 31, after "6." insert "**(a)**".
- 10 Page 2, line 37, strike "(4)".
- 11 Page 2, line 37, delete "Members of the".
- 12 Page 2, delete line 38, begin a new paragraph and insert:
- 13 "**(b) The state superintendent of public instruction shall be**
- 14 **elected in 2004.**".
- 15 Page 3, line 9, reset in roman "(H)".
- 16 Page 3, line 9, delete "Superintendent" and insert "**Before January**
- 17 **1, 2006, state** superintendent".
- 18 Page 3, line 9, reset in roman "of public instruction.".
- 19 Page 4, delete lines 10 through 39.
- 20 Page 6, line 1, delete "January 10, 2005," and insert "**January 12,**
- 21 **2009,**".
- 22 Page 6, line 9, delete "and state" and insert "and **before January 12,**
- 23 **2009, state**".
- 24 Page 6, line 10, reset in roman "superintendent of public
- 25 instruction.".
- 26 Page 6, line 10, delete "each member of the".
- 27 Page 6, delete line 11.
- 28 Page 8, line 26, delete "January 10, 2005," and insert "**January 12,**
- 29 **2009,**".
- 30 Page 9, line 13, delete "January 10, 2005," and insert "**January 12,**
- 31 **2009,**".
- 32 Page 10, line 40, delete "The" and insert "**Before January 12, 2009,**
- 33 **the**".
- 34 Page 10, line 40, reset in roman "governor may seek the".
- 35 Page 10, reset in roman line 41.
- 36 Page 10, line 42, reset in roman "regard to one (1) of the governor's
- 37 appointments.".
- 38 Page 11, line 1, strike "a citizen" and insert "**citizens**".
- 39 Page 11, line 2, strike "holds" and insert "**hold**".
- 40 Page 11, line 3, strike "is" and insert "**are**".
- 41 Page 13, delete lines 2 through 42, begin a new paragraph and insert:
- 42 "SECTION 12. IC 20-1-1-1 IS AMENDED TO READ AS
- 43 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) The Indiana state
- 44 board of education is established. The board shall consist of **the**

following:

(1) Ten (10) members appointed by the governor. ~~and~~

(2) The state superintendent of public instruction.

Of the ten (10) members appointed by the governor, a minimum of four (4) members must be persons who are actively employed in the schools in Indiana and who hold a valid teaching license. At least one (1) member must be appointed from each congressional district in Indiana. ~~No~~ Not more than six (6) members of the board may be appointed from the membership of any one (1) political party. A quorum consists of six (6) members of the board, and an action of the board is not official unless it is authorized by at least six (6) members. The **state** superintendent of public instruction shall serve as ~~chairman~~ **chair** of the board. Appointed board members shall serve for a term of four (4) years, unless dismissed before the expiration of four (4) years by the governor for just cause. Any appointment to fill a vacancy occurring on the board shall be for the unexpired term.

(b) The superintendent of public instruction shall appoint six (6) persons who shall serve on the advisory committee on textbook adoption. The state superintendent of public instruction or ~~his~~ **the state superintendent's** designee shall serve as a voting member of the committee. At least four (4) of the members of the advisory committee on textbook adoptions shall be actively employed in the schools in Indiana and hold a valid teaching license. ~~No~~ Not more than four (4) of the members of the committee may be appointed from the membership of any one (1) political party. The state superintendent or ~~his~~ **the state superintendent's** designee shall serve as ~~chairman~~ **chair** of the committee. Committee members shall serve at the pleasure of the superintendent of public instruction.

(c) The board and the committee shall meet at such times as they determine. The terms of office of the appointive members of the board shall commence on July 1.

(d) The board may establish other advisory committees as necessary to provide technical and professional assistance to the board.

(e) Whenever the board is required to conduct hearings under IC 4-21.5-3, the board may use hearing examiners who are not members of the board to conduct the hearings."

Page 14, delete lines 1 through 32.

Page 14, line 34, delete "January" and insert "**January 11, 2009**".

Page 14, line 35, delete "9, 2005,".

Page 15, line 4, reset in roman "jointly".

Page 15, line 4, delete ".".

Page 15, line 4, reset in roman "and".

Page 15, line 5, delete "the superintendent of public instruction." and insert "**the state** superintendent of public instruction."

Page 15, line 13, after "(C)." insert "**After January 11, 2009, the**

- 1 **governor shall appoint the members of the roundtable."**
 2 Page 15, delete lines 18 through 28, begin a new paragraph and
 3 insert:
 4 "SECTION 15. IC 20-1-20.5-6, AS ADDED BY P.L.146-1999,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2004]: Sec. 6. (a) The governor and the **state** superintendent
 7 of public instruction shall jointly serve as cochairpersons of the
 8 roundtable. The roundtable shall meet upon the call of the
 9 cochairpersons. **After January 11, 2009:**
 10 **(1) the state superintendent of public instruction serves as**
 11 **the chair of the roundtable; and**
 12 **(2) the roundtable shall meet upon the call of the chair.**
 13 (b) A quorum of the roundtable must be present to conduct
 14 business. A quorum consists of a majority of the voting members
 15 appointed to the roundtable. The roundtable may not take an official
 16 action unless the official action has been approved by at least a majority
 17 of the voting members appointed to serve on the roundtable."
 18 Page 15, line 37, delete "the governor or The" and insert "the
 19 governor or the".
 20 Page 16, line 3, reset in roman "jointly".
 21 Page 16, line 3, delete ".".
 22 Page 16, line 3, reset in roman "and the state superintendent of".
 23 Page 16, reset in roman line 4.
 24 Page 16, line 4, after "instruction." insert "**After January 11, 2009,**
 25 **the governor shall appoint the member of the panel under this**
 26 **subdivision."**
 27 Page 16, delete lines 37 through 39.
 28 Renumber all SECTIONS consecutively.
 (Reference is to HB 1246 as printed January 30, 2004.)

Representative Behning